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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

MYRICK TANTIADO, an individual,

Plaintiff,

v.

POWER MEDICAL INTERVENTIONS, a
 Pennsylvania corporation, and DOES ONE
 through FIFTY, inclusive,

Defendants.

Case No. C 07-02874 CRB

**DECLARATION OF PAT STEFFAN
 IN SUPPORT OF DEFENDANT'S
 MOTION FOR PARTIAL SUMMARY
 JUDGMENT**

Hearing Date: September 5, 2008

Time: 10:00 a.m.

Judge: Hon. Charles R. Breyer

Courtroom: 8

I, Patricia Steffan, declare:

1. I am Vice President of Finance for Power Medical Interventions, Inc.
 ("PMI"). Among other things, my responsibilities include serving as custodian of sales records for

1 PMI's sales employees. I have personal knowledge of the facts stated in this Declaration, and if
2 called upon, could and would testify competently thereto.

3 2. For all twelve months of 2005, Myrick Tantiado had \$283,000 in sales.
4 Attached as Exhibit A to this Declaration is a business record showing Tantiado's 2005 sales.

5 3. During the six months of 2006 that Mr. Tantiado worked for PMI, by
6 contrast, he only had \$51,000 in sales. Attached as Exhibit B to this Declaration is a business
7 record showing Tantiado's 2006 sales.

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9 Executed on July 25, 2008, at Langhorne, Pennsylvania.

10 I declare under penalty of perjury under the laws of the United States of America
11 that the foregoing is true and correct.

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15 Patricia Steffan
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